

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION

CYNTHIA BARBOUR, in her capacity as )		
Trustee under the Admiration M Trust, )		
JULIA LUNN, individually, and in her )		
capacity as Trustee under the )		
Admiration M Trust, and ADAM )		
SPIEGEL, )		
)		
Plaintiffs, )	No. 1:19-CV-00748-NCT-JEP	
)		
v. )	STIPULATION	
)	TO WITHDRAW REMOVAL	
TD AMERITRADE, INC., STEVEN )	PETITION AND TO	
KEARNS, and LAUREN SCOTT, )	REMAND TO	
)	SUPERIOR COURT	
Defendants. )		
_____ )		

This matter came before the Honorable N. Carlton Tilley, Jr., Senior United States District Judge, on July 29, 2019, for a hearing at which the Court considered Plaintiffs Cynthia Barbour and Julia Lunn’s motion to remand filed July 26, 2019 (D.E. #3) and the opposition filed July 29, 2019, by Defendants Steven Kearns and Lauren Scott (D.E. #5).

Plaintiffs Cynthia Barbour and Julia Lunn (“Plaintiffs”) were represented by attorney Scott K. Tippet of the law firm of Hagen Barrett, PLLC. Defendants Steven Kearns and Lauren Scott (“Defendants”) were represented by attorney B. Tyler Brooks of the Law Office of B. Tyler Brooks, PLLC. Adam Spiegel and TD Ameritrade, Inc., did not appear in any capacity despite receiving notice of the hearing.

Plaintiffs and Defendants having conferred and having announced a stipulation on the record in open court, it is hereby **STIPULATED** and **AGREED** that Defendants withdraw their petition for removal to this Court. It is further **STIPULATED** and **AGREED** that Plaintiffs hereby withdraw their request for attorney's fees and costs related to their motion to remand. Accordingly, Plaintiffs and Defendants shall each bear their own costs, fees, and expenses related to the removal and remand of this action.

Remand having been stipulated to, it is agreed that this matter may be returned to the North Carolina General Court of Justice, Superior Court Division, Guilford County, for all further proceedings.

Respectfully submitted, this the 31st day of July, 2019.

/s/Scott K. Tippet  
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*Counsel for Defendants*  
*Steven Kearns and*  
*Lauren Scott*

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically on July 31, 2019. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system. A copy will also be served by the Court's CM/ECF system on counsel for the plaintiffs and by First Class U.S. mail upon T.D. Ameritrade, Inc., and Adam Spiegel.

/s/B. Tyler Brooks  
B. Tyler Brooks

### SERVED:

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